

FILED  
4:48 o'clock

JUL 12 2017

CAUSE NO. B200364

JAMIE SMITH, DISTRICT CLERK  
Jefferson County, Texas

BY [Signature] DEPUTY

AIG EUROPE LTD.  
Plaintiff,

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

IN THE DISTRICT COURT

V.

JEFFERSON COUNTY, TEXAS

CATERPILLAR INC. AND  
DRAGON PRODUCTS, LLC  
Defendants.

604 JUDICIAL DISTRICT

JURY DEMANDED

**PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE**

Comes now, AIG EUROPE LTD., Plaintiff herein, complains of CATERPILLAR INC.  
and DRAGON PRODUCTS, LLC, and alleges upon information and belief as follows:

**I.**

**DISCOVERY CONTROL LEVEL**

1. Pursuant to the Texas Rules of Civil Procedure, discovery shall be conducted in accordance  
with Tex. R. Civ. P. 190.3 (Level 2).

**II.**

**PARTIES**

2. Plaintiff AIG Europe Ltd. ("AIG"), was and is now a foreign corporation with its principle  
office and place of business in London, England. Pursuant to a policy of insurance, AIG paid its  
insured, Baker Hughes Incorporated, for the loss of and damage to equipment that is the subject  
of this lawsuit and has become subrogated to its insureds' rights, however those rights may appear.

3. Defendant Caterpillar Inc. ("Caterpillar"), was and is now a foreign corporation with its  
principal office and place of business in Peoria, Illinois. Caterpillar has regularly engaged in  
business in Texas by selling and marketing products in the state of Texas. Caterpillar may be



I CERTIFY THIS IS A TRUE COPY  
Witness my Hand and Seal of Office

July 20, 2017

JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS

Jamie Smith Page 1 of 9

served with process through its registered agent for service of process CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201.

4. Defendant Dragon Products, LLC (“Dragon”), was and is now a Texas corporation or similar entity which regularly does business in Texas. Dragon maintains a regular place of business in Texas at 1655 Louisiana Street, Beaumont, Texas 77701. Dragon may be served with process through its registered agent Casey Crenshaw, 1655 Louisiana Street, Beaumont, Texas 77701.

### III. **JURISDICTION AND VENUE**

5. This court has subject matter jurisdiction as the amount in controversy exceeds \$500.00 and no other court has exclusive jurisdiction over this case.

6. Venue is proper in Jefferson County, Texas under Section 15.002 and 15.005 of the Texas Civil Practice and Remedies Code because at least one defendant’s principal office in the state is located in this county and the actions against all defendants arise out of the same transaction, occurrence, or series of occurrences.

### IV. **FACTS**

7. Baker Hughes Incorporated (“BHI”) entered into a Master Service Agreement with XTO Energy Inc. (“MSA”). Pursuant to the MSA, BHI performed certain oilfield services for XTO, such as frac pumping operations.

8. In July 2016, pursuant to the MSA, BHI was to conduct frac pumping operations at the St. Lucia Well Site, approximately 75 miles west of Odessa, Texas and 15 miles north of Mentone, Texas in Loving County, Texas. BHI had mobilized various types of equipment to complete the operation including, but not limited to, frac pump trailers, blender units, Sand King units, dual



I CERTIFY THIS IS A TRUE COPY  
Witness my Hand and Seal of Office

July 20, 2017

JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS

*Jamie Smith*  
Page 2 of 9

conveyor units, manifold units and chem add units. Baker Hughes was to utilize several frac pumping units including one identified as Unit Number 3.

9. Upon information and belief, Caterpillar was the designer, manufacturer and/or supplier of an oil well servicing diesel engine (“Engine”) installed on the frac pumping unit identified as Unit Number 3.

10. Upon information and belief, Dragon was the designer, manufacturer and/or supplier of the frac pumping unit identified as Unit Number 3 which included the Engine manufactured by Caterpillar.

11. BHI purchased the frac pumping unit identified as Unit Number 3 for certain oilfield services including frac pumping operations.

12. On July 12, 2016, during frac pumping operations at the St. Lucia Well Site, a fire occurred which originated in Unit Number 3.

13. The fire spread causing damage to other equipment owned by BHI located at the St. Lucia Well Site including, but not limited to, frac pump trailers, a manifold trailer, Sand King units, blender units, and a dual conveyor belt.

14. The cause of the fire was found to be the failure of the Engine. The fire occurred when a connecting rod of the Engine was “thrown” through the crankcase which allowed fuel and/or oil within the engine to ignite.

15. The Engine and its component parts were inadequate, insufficient, and/or unsuitable for use at the St. Lucia Well Site.

16. Plaintiff AIG was, and is now, the insurer of the Engine and other equipment owned by BHI that was damaged located at the St. Lucia Well Site.



I CERTIFY THIS IS A TRUE COPY  
Witness my Hand and Seal of Office

July 20, 2017

JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS

*Jamie Smith*  
Page 3 of 9

**V.**  
**COUNT 1-NEGLIGENCE**

17. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 16 as if set forth herein at length.

18. Defendants knew, or in the exercise of reasonable care should have known, the Engine as manufactured and/or sold was and is a device of such a nature that if not properly manufactured, designed, tested, inspected, and distributed was likely to cause damage to property.

19. Defendants had a duty to potential users of the Engine and BHI, to properly and safely design, manufacture, inspect, distribute, market, and/or provide instructions for the Engine.

20. The Engine manufactured and/or supplied by Defendants was defective in its design, manufacture, and otherwise had deficient instructions regarding procedures for its installation and/or use.

21. Defendants knew, or in the exercise of reasonable care should have known, that the Engine would be used for various applications, including the frac pumping operations.

22. The Engine was designed, manufactured, and/or supplied by Defendants was not suitable for its intended use during frac pumping operations.

23. Defendants were negligent in selecting and supplying the Engine which was inadequate and/or insufficient to prevent its failure during normal operation because it “threw” a connecting rod during normal operation.

24. Defendants were negligent in selecting and supplying the Engine which was inadequate, insufficient, and/or unsuitable because it “threw” a connecting rod during normal operation.

25. As a direct and foreseeable consequence of the Defendants’ negligence in selecting and/or supplying the Engine, and negligence in providing instructions for the Engine, and the subsequent



I CERTIFY THIS IS A TRUE COPY  
Witness my Hand and Seal of Office

July 20, 2017

JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS

*Jamie Smith*  
Page 4 of 9

failure of the Engine, a fire occurred at the St. Lucia Well Site, resulting in damages to equipment owned by BHI.

**VI.**  
**COUNT 2-DEFECT IN DESIGN**

26. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 25 as if set forth herein at length.

27. The Engine was designed, manufactured, and/or supplied by Defendants in a defective condition when supplied and/or distributed to BHI.

28. Defendants knew, or in the exercise of reasonable care should have known, that the Engine was intended to be used for various applications, including frac pumping operations.

29. Defendants knew, or in the exercise of reasonable care should have known, that the failure of the Engine would threaten property.

30. The Engine was expected to and, in fact, did reach BHI, as user of the Engine, without substantial change in the condition in which it was advertised, sold, and/or supplied by Defendants.

31. The design of the Engine was defective in that it was not sufficient to prevent the engine from “throwing” a connecting rod during normal operation.

32. The design of the Engine was defective and inadequate because it “threw” a connecting rod during normal operation.

33. The Engine was unreasonably dangerous to Plaintiff and its property in that it “threw” a connecting rod during normal operation.

34. The Engine was in a defective condition and unreasonably dangerous to BHI and its property located at the St. Lucia Well Site in that the failure of the Engine would and did result in a fire which caused damage to equipment owned by BHI.



I CERTIFY THIS IS A TRUE COPY  
Witness my Hand and Seal of Office

July 20, 2017

JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS

*Jamie Smith*  
Page 5 of 9



35. As a direct and foreseeable consequence of the defective design of the Engine and its subsequent failure, a fire occurred at the St. Lucia Well Site, resulting in damages to equipment owned by BHI.

**VI.**  
**COUNT 3-DEFECT IN MANUFACTURE**

36. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 35 as if set forth herein at length.

37. The Engine, including component parts, which was designed, manufactured, and/or supplied by Defendants was in a defective condition when supplied and/or distributed to BHI.

38. Defendants knew, or in the exercise of reasonable care should have known, that the Engine was intended to be used for various applications, including frac pumping operations.

39. Defendants knew, or in the exercise of reasonable care should have known, that the failure of the Engine would threaten property.

40. The Engine was expected to and, in fact, did reach BHI, as user of the Engine, without substantial change in the condition in which it was advertised, sold, and/or supplied by Defendants.

41. The manufacture of the Engine was defective in that it was not sufficient to prevent the engine from “throwing” a connecting rod during normal operation.

42. The manufacture of the Engine was defective in that the Engine was inadequate because it “threw” a connecting rod during normal operation, thus, the Engine was also unstable.

43. The Engine was unreasonably dangerous to Plaintiff and its property in that the failure of the Engine placed property owned by BHI at risk of harm.

44. The Engine was in a defective condition and unreasonably dangerous to BHI and its property located at the St. Lucia Well Site in that the failure of the Engine would and did result in

a fire which caused damage to equipment owned by BHI.



I CERTIFY THIS IS A TRUE COPY  
Witness my Hand and Seal of Office

July 20, 2017

JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS

*Jamie Smith*

Page 6 of 9

45. As a direct and foreseeable consequence of the defective manufacture of the Engine and its subsequent failure, a fire occurred at the St. Lucia Well Site, resulting in damages to equipment owned by BHI.

## VI.

### **COUNT 4-BREACH OF CONTRACT, QUASI-CONTRACT, AND/OR WARRANTY**

46. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 45 as if set forth herein at length.

47. If any of the damages alleged herein are governed by principles of contract, quasi-contract, and/or warranty, Defendants have breached such provisions, duties, and obligations with respect to the Engine.

48. Dragon and/or Caterpillar breached the implied warranty of merchantability.

49. At the time of the sale, the Engine was not of merchantable quality. The Engine was not fit for its ordinary purpose because it “threw” a connecting rod during normal operation.

50. As a direct and foreseeable consequence of the breach of the implied warranty of merchantability, a fire occurred at the St. Lucia Well Site, resulting in damages to equipment owned by BHI.

## VII.

### **DAMAGES**

51. As a direct and proximate result of the activities described above, Plaintiff has suffered damages in the amount of at least ELEVEN MILLION, EIGHT HUNDRED THOUSAND AND 00/100 DOLLARS (\$11,800,000), plus prejudgment interest and post judgment interest.

## VIII.

### **JURY DEMAND**

52. Plaintiff demands a jury trial and tenders the appropriate fee with this petition.



I CERTIFY THIS IS A TRUE COPY  
Witness my Hand and Seal of Office

July 20, 2017

JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS

*Jamie Smith*  
Page 7 of 9

## IX.

### **CONDITIONS PRECEDENT**

53. All conditions precedent necessary to maintain this lawsuit have been performed or have occurred.

### **IX.** **REQUEST FOR DISCLOSURE**

54. Pursuant to Rule 194 of the Texas Rules of Civil Procedure, Plaintiff requests that Defendants disclose, within fifty (50) days of service of this petition, the information or material described in Rule 194.2(a-l).

### **X.** **PRAYER**

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that Defendants be cited to appear and answer herein and that, upon final trial, Plaintiff have judgment against Defendants as follows:

- a. actual damages of at least \$11,800,000 for the above-stated causes of action;
- b. prejudgment interest and postjudgment interest at the maximum legal rate;
- c. reasonable and necessary attorney's fees;
- d. all costs of court; and
- e. for such other and further relief, general or special, at law or in equity, to which Plaintiff may show itself to be justly entitled.



I CERTIFY THIS IS A TRUE COPY  
Witness my Hand and Seal of Office

July 20, 2017

JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS

*Jamie Smith*  
Page 8 of 9



Respectfully submitted,

*/S/ Ryan J. Vechan*

---

RYAN J. VECHAN  
Texas Bar No.:24093298  
Hill Rivkins LLP  
55 Waugh Drive, Suite 1200  
Houston, Texas 77007  
Telephone: (713) 222-1515  
Facsimile: (713) 222-1359  
E-mail: rvechan@hillrivkins.com

ATTORNEY FOR PLAINTIFF  
AIG EUROPE LTD.



I CERTIFY THIS IS A TRUE COPY  
Witness my Hand and Seal of Office

July 20, 2017

JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS

*Jamie Smith*  
Page 9 of 9

## CIVIL CASE INFORMATION SHEET (REV. 2/13)

CAUSE NUMBER (FOR CLERK USE ONLY):

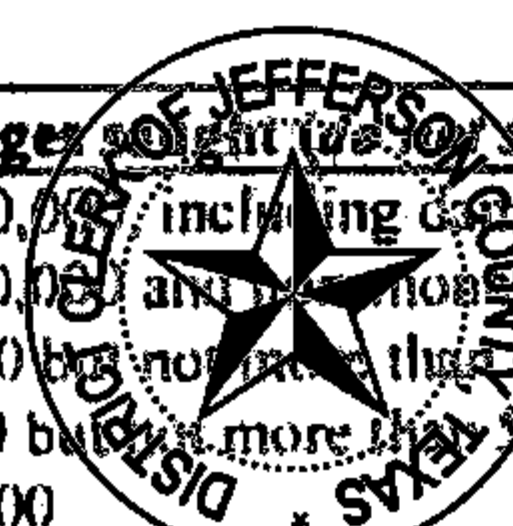
COURT (FOR CLERK USE ONLY):

STYLED AIG Europe Ltd v. Caterpillar Inc. and Dragon Products LLC

(e.g., John Smith v. All American Insurance Co. In re Mary Ann Jones: In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the **FILED** at the time of filing.

<b>1. Contact information for person completing case information sheet:</b> Name: <u>Ryan Vechan</u> Address: <u>55 Waugh Drive, Ste. 1200</u> <u>Houston, TX 77007</u> Signature: <u>[Signature]</u> Email: <u>rvechan@hillcountry.com</u> Telephone: <u>713.222-1515</u> Fax: <u>713.222.1359</u> State Bar No: <u>240043298</u>		<b>Names of parties in case:</b> Plaintiff(s)/Petitioner(s): <u>AIG Europe Ltd</u> Defendant(s)/Respondent(s): <u>Caterpillar Inc. &amp; Dragon Products LLC</u> [Attach additional page as necessary to list all parties]	
<b>2. Indicate case type, or identify the most important issue in the case (select only 1):</b>		<b>Person or entity completing sheet is:</b> <input checked="" type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other: _____ <b>JUL 12 2017</b> <b>JAMIE SMITH, DISTRICT CLERK</b> Jefferson County, Texas Additional Parties in Child Support Case: _____ BY <u>[Signature]</u> <b>DEPUTY</b> Custodial Parent: _____ Non-Custodial Parent: _____ Presumed Father: _____	
<b>Civil</b>		<b>Family Law</b>	
<b>Contract</b> <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract:  <input type="checkbox"/> Foreclosure <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract:	<b>Injury or Damage</b> <input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation <input type="checkbox"/> Malpractice <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: <input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises <input type="checkbox"/> Product Liability <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: <input checked="" type="checkbox"/> Other Injury or Damage: <u>Property</u>	<b>Real Property</b> <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property:  <b>Related to Criminal Matters</b> <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other:	<b>Marriage Relationship</b> <input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void <b>Divorce</b> <input type="checkbox"/> With Children <input type="checkbox"/> No Children  <b>Other Family Law</b> <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other:
<b>Employment</b> <input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment:		<b>Post-judgment Actions (non-Title IV-D)</b> <input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other  <b>Title IV-D</b> <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocity (UIFSA) <input type="checkbox"/> Support Order  <b>Parent-Child Relationship</b> <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child:	
<b>Tax</b> <input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax		<b>Other Civil</b> <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other:	
<b>Probate &amp; Mental Health</b> <input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other:		<b>Probate/Wills/Intestate Administration</b> <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings	
<b>3. Indicate procedure or remedy, if applicable (may select more than 1):</b>			
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action		<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment <input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover	
<b>4. Indicate damages sought (use 90% select only one family law case):</b> <input type="checkbox"/> Less than \$100,000 including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees <input type="checkbox"/> Less than \$100,000 and monetary relief <input type="checkbox"/> Over \$100,000 but not more than \$200,000 <input type="checkbox"/> Over \$200,000 but not more than \$1,000,000 <input checked="" type="checkbox"/> Over \$1,000,000			



I CERTIFY THIS IS A TRUE COPY

Office

JUL 20, 2017

JAMIE SMITH, DISTRICT CLERK

JEFFERSON COUNTY, TEXAS

[Signature]

Page 1 of 2

## Instructions for Completing the Texas Civil Case Information Sheet

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing. If the original petition, application or post-judgment petition or motion is e-filed, the case information sheet must not be the lead document.

This sheet, required by Rule 78a of the Texas Rules of Civil Procedure, is intended to collect information that will be used for statistical and administrative purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

The attorney or self-represented (*pro se*) plaintiff/petitioner filing the case or post-judgment petition or motion should complete the sheet as follows:

### 1. Contact information

**a) Contact information for person completing case information sheet.** Enter the following information:

- name;
- address;
- city, state, and zip code;
- email address;
- telephone number;
- fax number, if available;
- State Bar number, if the person is an attorney; and
- signature. (*NOTE: When a case information sheet is submitted electronically, the signature may be a scanned image or "/s/" and the name of the person completing the case information sheet typed in the space where the signature would otherwise appear.*)

**b) Names of parties in the case.** Enter the name(s) of the:

(*NOTE: If the name of a party to a case is confidential, enter the party's initials rather than the party's name.*)

- plaintiff(s) or petitioner(s);
- defendant(s) or respondent(s); and
- in child support cases, additional parties in the case, including the:
  - custodial parent;
  - non-custodial parent; and
  - presumed father.

Attach an additional page as necessary to list all parties.

**c) Person or entity completing sheet is.** Indicate whether the person completing the sheet, or the entity for which the sheet is being completed, is:

- an attorney for the plaintiff or petitioner;
- a *pro se* (self-represented) plaintiff or petitioner;
- the Title IV-D agency; or
- other (provide name of person or entity).

### 2. Case type.

Select the case category that best reflects the most important issue in the case. You must select only one.

### 3. Procedure or remedy.

If applicable, select any of the available procedures or remedies being sought in the case. You may select more than one.

### 4. Damages sought.

Select the damages being sought in the case:

(*NOTE: If the claim is governed by the Family Code, do **not** indicate the damages sought.*)

- only monetary relief of \$100,000 or less, including damages of any kind, penalties, costs, expenses, pre-judgment interest and attorney fees;
- monetary relief over \$100,000 or less and non-monetary relief;
- monetary relief over \$100,000 but not more than \$200,000;
- monetary relief over \$200,000 but less than \$1,000,000; or
- monetary relief over \$1,000,000.



JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS

*Jamie Smith*



**CIVIL PROCESS REQUEST FORM**

FOR EACH PARTY SERVED YOU MUST FURNISH ONE (1) COPY OF THE PLEADING  
FOR WRITS FURNISH TWO (2) COPIES OF THE PLEADING PER PARTY TO BE SERVED

CASE NUMBER: \_\_\_\_\_ CURRENT COURT: \_\_\_\_\_

TYPE OF INSTRUMENT TO BE SERVED (See Reverse For Types): **Plaintiff's Original Petition and Request for Disclosure**

FILE DATE OF MOTION: July 12, 2017  
Month/ Day/ Year

**FILED**  
at 4:48 o'clock PM

SERVICE TO BE ISSUED ON (Please List Exactly As The Name Appears In The Pleading To Be Served): **JUL 12 2017**

1. NAME: **Caterpillar, Inc.**

ADDRESS: **1999 Bryan Street, Suite 900, Houston, Texas 75201**

AGENT, (if applicable): **c/o CT Corporation System**

**JAMIE SMITH, DISTRICT CLERK**  
Jefferson County, Texas  
BY [Signature] DEPUTY

TYPE OF SERVICE/PROCESS TO BE ISSUED (see reverse for specific type): **Citation for service of process**

SERVICE BY (check one):

☐ ATTORNEY PICK-UP ☐ CONSTABLE  
☐ CIVIL PROCESS SERVER - Authorized Person to Pick-up: \_\_\_\_\_ Phone: \_\_\_\_\_  
☒ MAIL ☐ CERTIFIED MAIL

☐ PUBLICATION:

Type of Publication: ☐ COURTHOUSE DOOR, or

☐ NEWSPAPER OF YOUR CHOICE: \_\_\_\_\_

☒ OTHER, explain Please mail back to attorney - call to advise when ready  
**ATTENTION: Effective June 1, 2010**  
713.222.1515

For all Services Provided by the DISTRICT CLERKS OFFICE requiring our office to MAIL something back to the Requesting Party, we require that the Requesting Party provide a Self-Addressed Stamped Envelope with sufficient postage for mail back. Thanks you,

\*\*\*\*\*

2. NAME: **Dragon Products LLC**

ADDRESS: **1655 Louisiana Street, Beaumont, Texas 77701**

AGENT, (if applicable): **c/o Casey Crenshaw**

TYPE OF SERVICE/PROCESS TO BE ISSUED (see reverse for specific type): **Citation for service of process**

SERVICE BY (check one):

☐ ATTORNEY PICK-UP ☐ CONSTABLE  
☐ CIVIL PROCESS SERVER - Authorized Person to Pick-up: \_\_\_\_\_ Phone: \_\_\_\_\_

☒ MAIL

☐ CERTIFIED MAIL

☐ PUBLICATION:

Type of Publication: ☐ COURTHOUSE DOOR, or

☐ NEWSPAPER OF YOUR CHOICE: \_\_\_\_\_

☒ OTHER, explain Please mail back to attorney - call to advise when ready  
713-222-1515

ATTORNEY (OR ATTORNEY'S AGENT) REQUESTING SERVICE:

NAME: **Ryan J. Vechan TEXAS BAR NO./ID NO. 24093298**

MAILING ADDRESS: **Hill Rivkins LLP, 55 Waugh Drive, Suite 1200, Houston, Texas 77007**

PHONE NUMBER: **713-222-1515** FAX NUMBER: **713-222-1359**

EMAIL ADDRESS: **rv@hillrivkins.com; rlandin@hillrivkins.com**



JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS

Page 1 of 2

SERVICE REQUESTS WHICH CANNOT BE PROCESSED BY THIS OFFICE WILL BE HELD FOR 30 DAYS PRIOR TO CANCELLATION. FEES WILL BE REFUNDED ONLY UPON REQUEST, OR AT THE DISPOSITION OF THE CASE. SERVICE REQUESTS MAY BE REINSTATED UPON APPROPRIATE ACTION BY THE PARTIES.

INSTRUMENTS TO BE SERVED:

(Fill In Instrument Sequence Number, i.e. 1st, 2nd, etc.)

ORIGINAL PETITION

\_\_\_\_\_ AMENDED PETITION

\_\_\_\_\_ SUPPLEMENTAL PETITION

## COUNTERCLAIM

\_\_\_\_\_ AMENDED COUNTERCLAIM

\_\_\_\_\_ SUPPLEMENTAL COUNTERCLAIM

## CROSS-ACTION:

\_\_\_\_\_ AMENDED CROSS-ACTION

\_\_\_\_\_ SUPPLEMENTAL CROSS-ACTION

## THIRD-PARTY PETITION:

\_\_\_\_\_ AMENDED THIRD-PARTY PETITION

\_\_\_\_\_ SUPPLEMENTAL THIRD-PARTY PETITION

## INTERVENTION:

\_\_\_\_\_ AMENDED INTERVENTION

\_\_\_\_\_ SUPPLEMENTAL INTERVENTION

## INTERPLEADER

\_\_\_\_\_ AMENDED INTERPLEADER

\_\_\_\_\_ SUPPLEMENTAL INTERPLEADER

## INJUNCTION

## MOTION TO MODIFY

## SHOW CAUSE ORDER

## TEMPORARY RESTRAINING ORDER

PROCESS TYPES:NON WRIT:CITATION

ALIAS CITATION

PLURIES CITATION

SECRETARY OF STATE CITATION

COMMISSIONER OF INSURANCE

HIGHWAY COMMISSIONER

CITATION BY PUBLICATION

NOTICE

SHORT FORM NOTICE

PRECEPT (SHOW CAUSE)

RULE 106 SERVICE

## SUBPOENA

WRITS:

ATTACHMENT (PROPERTY)

ATTACHMENT (WITNESS)

ATTACHMENT (PERSON)

## CERTIORARI

## EXECUTION

EXECUTION AND ORDER OF SALE

GARNISHMENT BEFORE JUDGMENT

GARNISHMENT AFTER JUDGMENT

## HABEAS CORPUS

## INJUNCTION

TEMPORARY RESTRAINING ORDER

PROTECTIVE ORDER (FAMILY CODE)

PROTECTIVE ORDER (CIVIL CODE)

POSSESSION (PERSON)

POSSESSION (PROPERTY)

## SCIRE FACIAS

SEQUESTRATION

SUPERSEDEAS

## BILL OF DISCOVERY:

ORDER TO: \_\_\_\_\_  
(specify)MOTION TO: \_\_\_\_\_  
(specify)

I CERTIFY THIS IS A TRUE COPY  
Witness my Hand and Seal of Office

July 20, 2017

JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS

Page 2 of 2

Page 2 of 2



RECEIPT FOR: FEES

E-FILING

Cause No: B-0200364 Date: 7/13/17 Receipt No: 387801  
 Style: AIG EUROPE LTD  
 vs CATERPILLAR INC ET AL

Paid By: VECHAN, RYAN J P  
 Amt Paid: 364.64 EFILE018168580-0 Bal Due:

10.00	RECORDS MANAGEMENT	10.00	COURT RECORD PRESERVATIO
10.00	RECORDS ARCHIVE FEE	36.00	COPIES
50.00	COUNTY FILING FEE	40.00	JURY
50.00	STATE FILING FEE		
10.00	LIBRARY FEE		
15.00	MEDIATION CENTER FEE		
15.00	STENO		
5.00	SECURITY FEE		
10.00	INDIGENT FEE		
42.00	JUDICIAL SUPPORT		
5.00	APPELLATE JUDICIAL SYSTE		
30.00	ELECTRONIC FILING FEE		

JAMIE SMITH, CLERK DISTRICT COURTS  
 Jefferson County, Texas

By: \_\_\_\_\_  
 ODBC Deputy



I CERTIFY THIS IS A TRUE COPY  
 Witness my Hand and Seal of Office

July 20, 2017

JAMIE SMITH, DISTRICT CLERK  
 JEFFERSON COUNTY, TEXAS

*Jamie Smith*  
 Page 1 of 1



C0200364---00004

CITATION

**THE STATE OF TEXAS**

**No. B-0200364**

**AIG EUROPE LTD  
VS. CATERPILLAR INC ET AL**

**CITATION**

**60 th JUDICIAL DISTRICT COURT  
of JEFFERSON COUNTY, TEXAS**

To: **CATERPILLAR INC  
BY SERVING ITS REGISTERED AGENT  
CT CORPORATION SYSTEM**

by serving at:  
**1999 BRYAN STREET  
SUITE 900  
HOUSTON, TX 75201**

**DEFENDANT:**

**NOTICE:**

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Said answer may be filed by mailing same to: District Clerk's Office, 1085 Pearl, Room 203, Beaumont, TX 77701, (or if the case is designated as an E-file case, E-file through Lexis Nexis file and serve) or by bringing it to the office. The case is presently pending before the 60 th District Court of Jefferson County sitting in Beaumont, Texas, and was filed on the 13th day of July, 2017. It bears cause number B-0200364 and is styled:

Plaintiff:

**AIG EUROPE LTD  
VS.  
CATERPILLAR INC ET AL**

Defendant:

The name and address of the attorney for plaintiff (or plaintiff if pro se) is:

**VECHAN, RYAN J, Atty.  
55 WAUGH DRIVE SUITE 1200  
HOUSTON, TX 77007 0**

The nature of the demands of said plaintiff is shown by a true and correct copy of Plaintiff's PETITION (PLAINTIFF'S ORIGINAL) REQUEST FOR DISCLOSURE, ALSO ATTACHED LETTER DESIGNATING ALL CASES E FILED. accompanying this citation and made a part thereof.

Issued under my hand and the seal of said court, at Beaumont, Texas, this the 13th day of July, 2017.

JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS



I CERTIFY THIS IS A TRUE COPY  
Witness my Hand and Seal of Office

July 20, 2017

JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS

*Jamie Smith* Page 1 of 2

BY

Valencia

*Valencia Simpson*

Deputy

RETURN OF SERVICE

B-0200364                      60 th JUDICIAL DISTRICT COURT  
AIG EUROPE LTD  
CATERPILLAR INC ET AL

Executed when copy was delivered:

This is a true copy of the original citation, was delivered to defendant \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_, Officer  
\_\_\_\_\_, County, Texas  
By: \_\_\_\_\_, Deputy

**ADDRESS FOR SERVICE:**  
CATERPILLAR INC  
BY SERVING ITS REGISTERED AGENT

HOUSTON, TX 75201 0000

OFFICER'S RETURN

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_, o'clock \_\_\_\_m., and executed in \_\_\_\_\_, County, Texas by delivering to each of the within named defendants in person, a true copy of this Citation with the date of delivery endorsed thereon, together with the accompanying copy of the Citation at the following times and places, to-wit:

Name	Date/Time	Place, Course and Distance from Courthouse
_____	_____	_____

And not executed as to the defendant(s), \_\_\_\_\_

The diligence used in finding said defendant(s) being:  
\_\_\_\_\_

and the cause or failure to execute this process is:  
\_\_\_\_\_

and the information received as to the whereabouts of said defendant(s) being:  
\_\_\_\_\_

**FEES:**

Serving Petition and Copy \$ \_\_\_\_\_  
Total \$ \_\_\_\_\_

\_\_\_\_\_, Officer  
\_\_\_\_\_, County, Texas  
By: \_\_\_\_\_, Deputy  
\_\_\_\_\_  
Affiant

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with Rule 107: The officer of authorized person who serves, or attempts to serve, a citation shall sign and return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable or the clerk of the court, the return shall be signed under penalty of perjury and contain the following statement:

"My name is \_\_\_\_\_, my date of birth is \_\_\_\_\_, and my address is \_\_\_\_\_.  
(First, Middle, Last)  
\_\_\_\_\_  
(Street, City, Zip)

I DECLARE UNDER PENALTY OF PERJURY THAT THE FORGOING IS TRUE AND CORRECT.

Executed in \_\_\_\_\_, County, State of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_.



I CERTIFY THIS IS A TRUE COPY  
Witness my Hand and Seal of Office  
July 20, 2017  
JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS  
*Jamie Smith*

\_\_\_\_\_  
Declarant/Authorized Process Server  
\_\_\_\_\_  
(Id # expiration of certification)



C0200364---00005

CITATION

---

**THE STATE OF TEXAS**


---

**No. B-0200364**

**AIG EUROPE LTD**  
**VS. CATERPILLAR INC ET AL**

---



---

**CITATION**


---

**60 th JUDICIAL DISTRICT COURT**  
**of JEFFERSON COUNTY, TEXAS**

---

To: **DRAGON PRODUCTS LLC**  
**BY SERVING ITS REGISTERED AGENT**  
**CASEY CRENSHAW**

by serving at:  
**1655 LOUISIANA STREET**  
**BEAUMONT, TX 77701**

**DEFENDANT:****NOTICE:**

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Said answer may be filed by mailing same to: District Clerk's Office, 1085 Pearl, Room 203, Beaumont, TX 77701, (or if the case is designated as an E-file case, E-file through Lexis Nexis file and serve) or by bringing it to the office. The case is presently pending before the 60 th District Court of Jefferson County sitting in Beaumont, Texas, and was filed on the 13th day of July, 2017. It bears cause number B-0200364 and is styled:

Plaintiff:

**AIG EUROPE LTD**  
 VS.  
**CATERPILLAR INC ET AL**

Defendant:

The name and address of the attorney for plaintiff (or plaintiff if pro se) is:

**VECHAN, RYAN J, Atty.**  
**55 WAUGH DRIVE SUITE 1200**  
**HOUSTON, TX 77007 0**

The nature of the demands of said plaintiff is shown by a true and correct copy of Plaintiff's PETITION (PLAINTIFF'S ORIGINAL) REQUEST FOR DISCLOSURE, ALSO ATTACHED LETTER DESIGNATING ALL CASES E FILED. accompanying this citation and made a part thereof.

Issued under my hand and the seal of said court, at Beaumont, Texas, this the 13th day of July, 2017.

JAMIE SMITH, DISTRICT CLERK  
 JEFFERSON COUNTY, TEXAS



I CERTIFY THIS IS A TRUE COPY  
 Witness my Hand and Seal of Office

July 20, 2017

JAMIE SMITH, DISTRICT CLERK  
 JEFFERSON COUNTY, TEXAS

*Jamie Smith*  
 Page 1 of 2

BY

Valencia

*Valencia Simpson*

Deputy

RETURN OF SERVICE

B-0200364                      60 th JUDICIAL DISTRICT COURT  
AIG EUROPE LTD  
CATERPILLAR INC ET AL

Executed when copy was delivered:

This is a true copy of the original citation, was delivered to defendant \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_, Officer  
\_\_\_\_\_, County, Texas  
By: \_\_\_\_\_, Deputy

**ADDRESS FOR SERVICE:**  
DRAGON PRODUCTS LLC  
BY SERVING ITS REGISTERED AGENT

BEAUMONT, TX 77701 0000

OFFICER'S RETURN

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_, o'clock \_\_\_\_m., and executed in \_\_\_\_\_, County, Texas by delivering to each of the within named defendants in person, a true copy of this Citation with the date of delivery endorsed thereon, together with the accompanying copy of the Citation at the following times and places, to-wit:

Name	Date/Time	Place, Course and Distance from Courthouse
_____	_____	_____

And not executed as to the defendant(s), \_\_\_\_\_

The diligence used in finding said defendant(s) being:  
\_\_\_\_\_

and the cause or failure to execute this process is:  
\_\_\_\_\_

and the information received as to the whereabouts of said defendant(s) being:  
\_\_\_\_\_

**FEES:**

Serving Petition and Copy \$ \_\_\_\_\_  
Total \$ \_\_\_\_\_

\_\_\_\_\_, Officer  
\_\_\_\_\_, County, Texas  
By: \_\_\_\_\_, Deputy  
\_\_\_\_\_  
Affiant

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with Rule 107: The officer of authorized person who serves, or attempts to serve, a citation shall sign and return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable or the clerk of the court, the return shall be signed under penalty of perjury and contain the following statement:  
"My name is \_\_\_\_\_, my date of birth is \_\_\_\_\_, and my address is \_\_\_\_\_  
(First, Middle, Last)

\_\_\_\_\_  
(Street, City, Zip)  
I DECLARE UNDER PENALTY OF PERJURY THAT THE FORGOING IS TRUE AND CORRECT.

Executed in \_\_\_\_\_, County, State of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_.



I CERTIFY THIS IS A TRUE COPY  
Witness my Hand and Seal of Office  
July 20, 2017  
JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS  
*Jamie Smith*

\_\_\_\_\_  
Declarant/Authorized Process Server  
\_\_\_\_\_  
(Id # expiration of certification)



AIG EUROPE LTD.	§	IN THE DISTRICT COURT OF
	§	
Plaintiff,	§	
	§	
VS.	§	JEFFERSON COUNTY, TEXAS
	§	
CATERPILLAR INC. AND	§	
DRAGON PRODUCTS, LLC	§	
	§	
Defendants.	§	60TH JUDICIAL DISTRICT

**DEFENDANT CATERPILLAR INC.'S ORIGINAL ANSWER  
TO PLAINTIFF'S ORIGINAL PETITION**

Defendant Caterpillar Inc. ("Caterpillar") files this Original Answer to Plaintiff AIG Europe Ltd.'s Original Petition and in support shows the following:

**I.  
GENERAL DENIAL**

1. Pursuant to Rule 92 of the Texas Rules of Civil Procedure, Caterpillar asserts a general denial, denies each and every allegation made by Plaintiff AIG Europe Ltd. ("Plaintiff") and demands strict proof thereof.

**II.  
AFFIRMATIVE DEFENSES**

2. Subject to and without waiving any other defenses, Caterpillar would show that Plaintiff's alleged injuries and damages are the result of its failure to mitigate by failing to act as one of ordinary prudence would have done under the same or similar circumstances. Such a failure to mitigate is the sole or partial cause in fact of the alleged injuries and damages.

3. Caterpillar specifically invokes the provisions of Chapters 32 and 33 of the Texas Civil Practice and Remedies Code, the common law of the State of Texas, and the provisions of any other applicable statutes with respect to the determination of proportionate responsibility of



I CERTIFY THIS IS A TRUE COPY  
Witness my Hand and Seal of Office

July 24, 2017

JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS

*Jamie Smith*  
Page 1 of 4

any party, responsible party, or settling party, and Caterpillar claims the right to make such election or credit settlement as is permitted by statute.

4. Additional and alternatively, Caterpillar pleads and reserves the following rights pursuant to Chapter 33 of the Texas Civil Practices and Remedies Code:

- (a) that it is entitled to and should receive a settlement credit if any party settles;
- (b) the right to a reduction in liability and damages as determined by the trier of fact for any percentage of responsibility for each claimant, defendant, cross-defendant or counter-defendant, contributing person, responsible third party, liable defendant or settling person or party;
- (c) the right to a full reduction or limitation of any sums which may be recovered by the claimants in accordance with various assessments of liability by the trier of fact with regards to the responsibility or liability of each claimant, each defendant, cross-defendant, counter-defendant, contributing person, liable defendant, responsible third party, and settling person or party;
- (d) the right to contribution and indemnification from any other person or entity found to be liable to Plaintiff; and
- (e) that Caterpillar exercise its right to the full application of the comparative responsibility statute, proportionate responsibility statute, and contributory negligence by the determinations of liability for each defendant, each cross or counter-defendant, each contributing person, each liable defendant, responsible third party and each settling person and/or party.

5. Pleading further, in the alternative, and by way of affirmative defense, Caterpillar states that the damages sought by Plaintiff, if any, were proximately caused, in whole or in part, by independent, intervening, or superseding causes, including acts and omissions of others over which Caterpillar had no control or right of control.

6. Pleading further, in the alternative, and by way of affirmative defense, Caterpillar further pleads that Plaintiff's alleged damages and Caterpillar's liability, if any, arising from acts or omissions complained of by Plaintiff are barred or limited in whole or in part by the terms of applicable contracts, agreements, disclaimers, and/or warranties.



I CERTIFY THIS IS A TRUE COPY  
Witness my Hand and Seal of Office

July 24, 2017

JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS

*Jamie Smith*  
Page 2 of 4

7. Pleading further, in the alternative, and by way of affirmative defense, Caterpillar further pleads that Plaintiff's claims are barred, in whole or in part, because all express and implied warranties have been disclaimed as set forth by the terms of the applicable contracts, agreements, disclosures, and/or warranties.

8. Pleading further, in the alternative, and by way of affirmative defense, Caterpillar asserts the affirmative defense of misuse and improper maintenance of the subject equipment and engine.

9. Pleading further, in the alternative, and by way of affirmative defense, Caterpillar asserts the affirmative defense of lack of contractual privity.

10. Pleading further, in the alternative, and by way of affirmative defense, Caterpillar asserts that Plaintiff's claims are barred by the applicable statute of limitations.

11. Caterpillar reserves its right to amend its Answer to assert additional defenses, and other claims and defenses as discovery in this case progresses and as evidence is developed at trial.

### **III.** **PRAYER**

WHEREFORE, PREMISES CONSIDERED, Caterpillar Inc. prays that upon the trial or hearing of this matter, Plaintiff recovers nothing against Caterpillar Inc., that the Petition be dismissed, that costs of court be assessed against Plaintiff, and for such other and further relief, both general and specific, at law or in equity, to which Caterpillar Inc. is justly entitled.

I CERTIFY THIS IS A TRUE COPY  
Witness my Hand and Seal of Office

July 24, 2017

JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS

*Jamie Smith*  
Page 3 of 4



Respectfully submitted,

BAKER & HOSTETLER LLP

By: /s/ Brad K. Howell

W. Ray Whitman, lead counsel

State Bar No. 21379000

[rwhitman@bakerlaw.com](mailto:rwhitman@bakerlaw.com)

Brad K. Howell

[bhowell@bakerlaw.com](mailto:bhowell@bakerlaw.com)

State Bar No. 24012860

Matt R. Raley

[mraley@bakerlaw.com](mailto:mraley@bakerlaw.com)

State Bar No. 24051224

811 Main Street, Suite 1100

Houston, Texas 77002-6111

Telephone: 713.751.1600

Facsimile: 713.751.1717

ATTORNEYS FOR CATERPILLAR INC.

**CERTIFICATE OF SERVICE**

I hereby certify that on July 21, 2017, the foregoing document was forwarded by electronic filing / service to the following counsel of record:

Ryan J. Vechan  
HILL RIVKINS LLP  
55 Waugh Drive, Suite 1200  
Houston, Texas 77007  
Email: [rvechan@hillrivkins.com](mailto:rvechan@hillrivkins.com)

*Attorneys for Plaintiff  
AIG Europe Ltd.*

/s/ Matt R. Raley

Matt R. Raley

I CERTIFY THIS IS A TRUE COPY  
Witness my Hand and Seal of Office

July 24, 2017

JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS

*Jamie Smith*  
Page 4 of 4





I CERTIFY THIS IS A TRUE COPY  
Witness my Hand and Seal of Office

JAMIE SMITH, DISTRICT CLERK  
JEFFERSON COUNTY, TEXAS

*Jamie Smith*

Certified Document Number: 1826913 Total Pages: 4

**In accordance with Texas Government Code 51.301 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail [districtclerk@co.jefferson.tx.us](mailto:districtclerk@co.jefferson.tx.us)**